May 11, 2020

Michael Carvajal  
Director, Bureau of Prisons  
320 1st St NW  
Washington, DC 20534

Donald Washington  
Director, U.S. Marshals Service  
1215 S Clark St  
Arlington, VA 22202

Dear Directors Carvajal and Washington:

We write to express concern and disappointment that the Bureau of Prisons (BOP) and U.S. Marshals Service (USMS) are transferring inmates to newly-designated federal prison quarantine sites in our states and districts—some from facilities facing COVID-19 outbreaks—without first testing these inmates for COVID-19. We urge the Department of Justice and BOP to test all inmates and confirm that they are negative for COVID-19 before transferring them to BOP quarantine locations across the country.

On April 27th, BOP informed our offices that federal prisons in our communities have been selected to be used as quarantine locations for newly-admitted inmates that BOP receives from the USMS. This includes the following locations:

USP Thomson, Illinois  
FCC Victorville, California  
FCC Terre Haute, Indiana  
FCC Yazoo City, Mississippi  
FCI Ray Brook, New York  
FCI El Reno, Oklahoma  

USC Oklahoma City, Oklahoma  
FDC Houston, Texas  
FCI Gilmer, West Virginia  
FCC Hazelton, West Virginia  
FCI Fairton, New Jersey

We are troubled that testing is not among the preventive steps that the USMS and BOP are taking before transferring inmates to these facilities. As you know, screening without testing will not prevent the transfer of asymptomatic inmates with COVID-19, who can transmit the virus to BOP staff, even if they are completely isolated from other inmates. These inadequate screenings are particularly concerning in light of recent data that has illustrated the extent of asymptomatic infections in state correctional settings. Last week, Reuters reported that in the Arkansas, North Carolina, Ohio, and Virginia state prison systems, 96 percent of more than 3,200 inmates who tested positive for COVID-19 were asymptomatic.

Unfortunately, we have already seen examples of the USMS and BOP transferring inmates from facilities with a COVID-19 outbreak to federal prisons that have no known cases of COVID-19. Last month, BOP transferred at least 20 inmates from Metropolitan Correction Center (MCC)
Chicago, where there is a confirmed COVID-19 outbreak, to the United States Penitentiary (USP) Thomson, in Thomson, Illinois, where there are currently no known cases of COVID-19. These transfers without testing unnecessarily put inmates and both BOP and USMS staff at risk of exposure to COVID-19. They also threaten local communities that surround the designated quarantine sites. We are particularly troubled by the potential strain that an outbreak could place on limited local health resources in the rural communities where some of these quarantine facilities are based.

In light of these concerns, it is imperative that the Department of Justice and BOP test all inmates and confirm that they are negative for COVID-19 before transferring them to these BOP quarantine locations. We also urge you to expand access to testing for BOP staff, who are on the frontlines of addressing this crisis within our federal prison system.

Thank you for your time and consideration. We look forward to a prompt response.

Sincerely,

/s/ Cheri Bustos
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Cheri Bustos
Member of Congress

/s/ Dick Durbin
__________________________
Richard J. Durbin
United States Senator

/s/ David B. McKinley
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David B. McKinley
Member of Congress

/s/ Charles E. Grassley
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Charles E. Grassley
United States Senator

/s/ Bennie G. Thompson
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Bennie G. Thompson
Member of Congress

/s/ Tammy Duckworth
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Tammy Duckworth
United States Senator

/s/ Paul Cook
__________________________
Col. Paul Cook Ret.
Member of Congress

/s/ Joni K. Ernst
__________________________
Joni K. Ernst
United States Senator
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